



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/025,088	12/18/2001	Roy Want	42390P12019	4912

8791 7590 08/10/2007  
BLAKELY SOKOLOFF TAYLOR & ZAFMAN  
1279 OAKMEAD PARKWAY  
SUNNYVALE, CA 94085-4040

EXAMINER

ZEWARI, SAYED T

ART UNIT	PAPER NUMBER
----------	--------------

2617

MAIL DATE	DELIVERY MODE
-----------	---------------

08/10/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.



Art Unit: 2617

1. The Art Unit location of your application in the USPTO has changed. To aid in correlating any papers for this application, all further correspondence regarding this application should be directed to Art Unit 2617.

***Response to Amendment***

2. Applicant's arguments filed on 5/14/2007 have been fully considered but they are not persuasive.

3. Applicant's argument stating that

***Applicants submit that neither Weiser nor Tobin disclose or suggest a controller to establish a wireless communication link between a wireless communication module and a first remote device based upon access rights associated with the first remote device to a public storage area and a private storage area.***

is not persuasive. Both Weiser and Tobin disclose a controller. Further Tobin discloses both public and private storage area with which selected remote devices exchange data. Furthermore, Weiser disclose wireless module for communication with remote devices. Thus the combination of Weiser and Tobin discloses all the limitations of the applicant's claims.

4. Applicant's argument stating that

***Weiser discloses that the personal storage device can be configured to be location sensitive to determine relative position of other infrared capable***

***electronic devices to enable a user to send data to adjacent devices based on the personal storage devices ability to determine spatial proximity. However, applicants submit that such a feature is not equivalent to establishing a communication link based upon access rights associated with a first remote device to a public storage area and a private storage area.***

is not persuasive. Tobin discloses this limitation. Tobin discloses both public and private storage area with which selected remote devices exchange data. Thus, a remote device must have access rights to exchange data and communicate with the private storage area. Furthermore, the concept of access right in communication is so well established that it is in common use and cannot be considered a new innovation.

5. Applicant's argument stating that

***there is no disclosure or suggestion of communication being based on access rights to the private storage area and a public storage area. Since neither reference discloses or suggests establishing a wireless communication link between a wireless communication module and a first remote device based upon access rights associated with the first remote device to a public storage area and a private storage area, any combination of Weiser and Tobin would not disclose or suggest such a feature.***

is not persuasive. The combination of Weiser and Tobin discloses these limitations.

Tobin discloses communication based on access right. Tobin discloses both public and private storage area with which selected remote devices exchange data. Thus, a remote

Art Unit: 2617

device must have access rights to exchange data and communicate with the private storage area. Moreover, Weiser discloses wireless module for communication with remote devices. Thus the combination of Weiser and Tobin discloses all the limitations of the applicant's claims.

6. Therefore, Weiser and Tobin disclose all the limitations of the claims of the applicant.

### **DETAILED ACTION**

#### ***Claim Rejections - 35 USC § 103***

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 1,3-15,17-42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Weiser et al. (U.S. Patent Number 5,982,520) in view of Tobin (U.S. Publication 2002/0077992).

Regarding claim 1, Weiser et al. discloses a Personal storage device for application and data transfer. Weiser et al. additionally discloses a portable device (which is exhibited in 22,23 of figure 1), which includes a wireless communication module (which read on transceiver 46 of figure 2 and disclosed in column 4 lines 54-60) to communicate with each of a plurality of remote devices within a locality (which read

Art Unit: 2617

on column 4 lines 32-53), a data storage module (which read on column 2 lines 19-40); and a controller (which reads on 40 processor) connected to the wireless communication module and to the data storage module (which reads on column 4 lines 54-65), the control communication of data between the wireless communication module and a first remote device by determining access rights associated with the first remote device (which reads on column 3 lines 37-53). However, Weiser et al. fails to disclose the use of a public storage and a private storage area with which selected remote devices exchange data in a relatively restricted manner.

In the same field of endeavor Tobin discloses a method and system for providing targeted advertising and personalized customer services. Tobin discloses a public storage area with which selected remote devices exchange data in a relatively free manner, and a private storage area with which selected remote devices exchange data in a relatively restricted manner (which reads on paragraph 0007).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to improve Weiser et al. by modifying the personal transaction device with public storage area with which selected remote devices exchange data in a relatively free manner, and a private storage area with which selected remote devices exchange data in a relatively restricted manner for the purpose of keeping the stored information secured.

Regarding claim 3, Weiser et al. in view of Tobin discloses everything claimed, as applied above additionally, Weiser et al. discloses a controller filters requests from each of the remote devices to exchange data and to selectively reject and accept the

Art Unit: 2617

requests in response to the nature of services offered by the remote device (which reads on column 2 lines 19-40 and column 4 lines 54-65).

Regarding claim 4, Weiser et al. in view of Tobin discloses everything claimed, as applied above additionally, Weiser et al. discloses a controller defines access rights to the first and second storage areas and, dependent upon the access rights, allows the remote device to Store and retrieve data from at least one of the first and second storage areas (which reads on column 2 lines 19-40 and column 4 lines 54-65).

Regarding claim 5, Weiser et al. in view of Tobin discloses everything claimed, as applied above additionally, Weiser et al. discloses a digital certificate of authenticity is requested from the remote device prior to communicating data between the remote device and the private storage area (which reads on column 2 lines 19-40 and column 4 lines 54-65).

Regarding claim 6, Weiser et al. in view of Tobin, discloses everything claimed, as applied above additionally, Weiser et al. discloses a controller restricts how often and the amount of data which is writable by the remote device into the public storage area (which reads on column 2 lines 19-40 and column 4 lines 54-65).

Regarding claims 7,8,9, Weiser et al. in view of Tobin discloses everything claimed, as applied above additionally, Weiser et al. discloses data stored in the public storage area is selectively cleared by the controller in an automated fashion (which reads on column 2 lines 19- 40 and column 4 lines 54-65).

Regarding claims 10, 11, Weiser et al. in view of Tobin discloses everything claimed, as applied above additionally, Weiser et al. discloses a wireless

Art Unit: 2617

communication module is a radio frequency (RF) transceiver which communicates using a standardized communication protocol (which reads on column 2 lines 19-40 and column 4 lines 54-65).

Regarding claims 12, Weiser et al. in view of Tobin discloses everything claimed, as applied above additionally, Weiser et al. discloses a controller selectively interfaces the portable device to a computer system to permit a user to access and store data in the data storage module (which reads on column 2 lines 19-40 and column 4 lines 54-65).

Regarding claims 13, Weiser et al. in view of Tobin discloses everything claimed, as applied above additionally, Weiser et al. discloses a remote device is defined by another portable device within the locality (which reads on column 2 lines 19-40 and column 4 lines 54-65).

Regarding claims 14, Weiser et al. in view of Tobin discloses everything claimed, as applied above additionally, Weiser et al. discloses a rechargeable Power supply for powering its various components (which reads on column 2 lines 19-40 and column 4 lines 54-65).

Regarding claim 15, 19, 20, Weiser et al. discloses a Personal storage device for application and data transfer. Weiser et al. additionally discloses a plurality of portable device (which is exhibited in 22,23 of figure 1), which includes a wireless communication module (which read on transceiver 46 of figure 2 and disclosed in column 4 lines 54-60) to communicate with each of a plurality of remote devices within a locality (which read on column 6 4 lines 32-53), a data storage module (which read on



Art Unit: 2617

column 2 lines 19-40); and a controller (which reads on 40 processor) connected to the wireless communication module and to the data storage module (which reads on column 4 lines 54-65), the control communication of data between the wireless communication module and a first remote device by determining access rights associated with the first remote device (which reads on column 3 lines 37-53). However, Weiser et al. fails to disclose the use of a public storage and a private storage area with which selected remote devices exchange data in a relatively restricted manner.

In the same field of endeavor Tobin discloses a method and system for providing targeted advertising and personalized customer services. Tobin discloses a public storage area with which selected remote devices exchange data in a relatively free manner, and a private storage area with which selected remote devices exchange data in a relatively restricted manner (which reads on paragraph 0007).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to improve Weiser et al. by modifying the personal transaction device With public storage area with which selected remote devices exchange data in a relatively free manner, and a private storage area with which selected remote devices exchange data in a relatively restricted manner for the purpose of keeping the stored information secured.

Regarding claim 17, Weiser et al. in view of Tobin discloses everything claimed, as applied above additionally, Weiser et al. discloses a controller filters requests from each of the remote devices to exchange data and to selectively reject and accept the

requests in response to the nature of services offered by the remote device (which reads on column 2 lines 19-40 and column 4 lines 54-65).

Regarding claim 18, Weiser et al. in view of Tobin discloses everything claimed, as applied above additionally, Weiser et al. discloses a controller defines access rights to the first and second storage areas and, dependent upon the access rights, allows the remote device to store and retrieve data from at least one of the first and second storage areas (which reads on column 2 lines 19-40 and column 4 lines 54-65).

Regarding claim 21, 22, 24-26, 28-30, Weiser et al. discloses a method which includes monitoring, by means of a portable device (which reads on a column 2 lines 41-63), wireless communications from a plurality of remote devices requesting communications with the portable device within a locality (which reads on a column 2 lines 41-63), the portable device including a data storage module with which selected remote devices exchange data in a relatively restricted manner (which reads on column 2 lines 41-63); identifying access rights associated with the remote device (which reads on column 5 lines 26-46); and controlling (which reads on a processor) the communication of data between the remote devices and the storage area dependent upon the access rights to the storage area (as disclosed on column 5 lines 26-46). However, Weiser et al. fails to disclose the use of a public storage and a private storage area with which selected remote devices exchange data in a relatively restricted manner.

In the same field of endeavor Tobin discloses a method and system for providing targeted advertising and personalized customer services. Tobin discloses a public

Art Unit: 2617

storage area with which selected remote devices exchange data in a relatively free manner, and a private storage area with which selected remote devices exchange data in a relatively restricted manner (which reads on paragraph 0007).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to improve Weiser et al. by modifying the personal transaction device with public storage area with which selected remote devices exchange data in a relatively free manner, and a private storage area with which selected remote devices exchange data in a relatively restricted manner for the purpose of keeping the stored information secured.

Regarding claim 23, Weiser et al. in view of Tobin discloses everything claimed, as applied above additionally, Weiser et al. discloses a controller filters requests from each of the remote devices to exchange data and to selectively reject and accept the requests in response to the nature of services offered by the remote device (which reads on column 2 lines 19-40 and column 4 lines 54-65).

Regarding claim 27, Weiser et al. in view of Tobin discloses everything claimed, as applied above additionally, Weiser et al. discloses a controller restricts how often and the amount of data which is writable by the remote device into the public storage area (which reads on column 2 lines 19-40 and column 4 lines 54-65).

Regarding claims 31, 32 Weiser et al. in view of Tobin discloses everything claimed, as applied above additionally, Weiser et al. discloses a wireless communication module is a radio frequency (RF) transceiver which communicates using

Art Unit: 2617

a standardized communication protocol (which reads on column 2 lines 19-40 and column 4 lines 54-65).

Regarding claim 33,34,38, Tobin discloses a computer program product including a medium readable by a computer, the medium carrying instructions which, when executed by the computer causes the computer to monitor, by means of a portable device (which reads on a column2 lines 41-63), wireless communications from a plurality of remote devices requesting communications with the portable device within a locality (which reads on a column 2 lines 41- 63), the portable device including a data storage module a which selected remote devices exchange data in a relatively restricted manner (which reads on paragraph 0007); identifying access rights associated with the remote device (which reads on column 5 lines 26-46); and controlling (which reads on a processor) the communication of data between the remote devices and the storage area dependent upon the access rights to the storage area (as disclosed on column 5 lines 26-46).. Weiser et al. fails to disclose the use of a public storage and a private storage area with which selected remote devices exchange data in a relatively restricted manner.

In the same field of endeavor Tobin discloses a method and System for providing targeted advertising and personalized customer services. Tobin discloses a public storage area with which selected remote devices exchange data in a relatively free manner, and a private storage area with which selected remote devices exchange data in a relatively restricted manner (which reads on paragraph 0007).

Therefore it would have been obvious to one of ordinary skill in the art at the time the

invention was made to improve Weiser et al. by modifying the personal transaction device with public storage area with which selected remote devices exchange data in a relatively free manner, and a private storage area with which selected remote devices exchange data in a relatively restricted manner for the purpose of keeping the Stored information secured.

Regarding claim 35, Tobin in view of Tobin discloses everything claimed, as applied above additionally, Tobin discloses a controller filters requests from each of the remote devices to exchange data and to selectively reject and accept the requests in response to the nature of services offered by the remote device (which reads on column 2 lines 19-40 and column 4 lines 54-65).

Regarding claims 36, 37,39, Tobin in view of Tobin discloses everything claimed, as applied above additionally, Tobin discloses a controller defines access rights to the first and second storage areas and, dependent upon the access rights, allows the remote device to store and retrieve data from at least one of the first and second storage areas (.which reads on column 2 lines 19-40 and column 4 lines 54-65).

Regarding claims 40-42, Tobin in view of Tobin discloses everything claimed, as applied above additionally, Tobin discloses a data stored in the public storage area is selectively cleared by the controller in an automated fashion (which reads on column 2 lines 19-40 and column 4 lines 54-65).

***Conclusion***

9. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

10. A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sayed T. Zewari whose telephone number is 571-272-6851. The examiner can normally be reached on 8:30-4:30.

12. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lester G. Kincaid can be reached on 571-272-7922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2617

13. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Sayed T. Zewari

August 3, 2007



LESTER G. KINCAID  
SUPERVISORY PRIMARY EXAMINER